

ARTICLE IV
THE JUDICIARY

Sec. 1. The several sums of money herein specified, or so much thereby as may be necessary, are appropriated out of any funds in the State Treasury not otherwise appropriated, or out of special funds as indicated, for the support, maintenance, or improvement of the judiciary and other judicial service units of the state.

SUPREME COURT OF TEXAS

	For the Years Ending	
	August 31, 2004	August 31, 2005
A. Goal: APPELLATE COURT OPERATIONS		
Outcome (Results/Impact):		
Disposition Rate	105%	105%
A.1.1. Strategy: APPELLATE COURT OPERATIONS	\$ 3,859,758	\$ 3,859,759 & UB
Efficiencies:		
Average Number of Days since Filing of All Matters Pending in the Supreme Court	100	100
A.1.2. Strategy: BASIC CIVIL LEGAL SERVICES	\$ 6,950,000	\$ 3,250,000 & UB
Total, Goal A: APPELLATE COURT OPERATIONS	\$ 10,809,758	\$ 7,109,759
Grand Total, SUPREME COURT OF TEXAS	\$ 10,809,758	\$ 7,109,759
Method of Financing:		
General Revenue Fund	\$ 3,859,758	\$ 3,859,759
Judicial Fund No. 573	6,950,000	3,250,000
Total, Method of Financing	\$ 10,809,758	\$ 7,109,759
Number of Full-Time-Equivalent Positions (FTE):	63.5	63.5
Schedule of Exempt Positions:		
Chief Justice	\$115,000	\$115,000
Justice	(8) 113,000	(8) 113,000
Supplemental Appropriations Made in Riders:	\$ 3,000,000	\$ 0
Object-of-Expense Informational Listing:		
Salaries and Wages	\$ 3,537,518	\$ 3,537,519
Other Personnel Costs	64,280	64,280
Consumable Supplies	45,000	45,000
Travel	10,000	10,000
Rent - Machine and Other	65,000	65,000
Other Operating Expense	137,960	137,960
Grants	9,950,000	3,250,000
Total, Object-of-Expense Informational Listing	\$ 13,809,758	\$ 7,109,759

1. **Appropriation: Basic Civil Legal Services.** All fees deposited into the Basic Civil Legal Services account of the Judicial Fund are appropriated above in Strategy A.1.2, Basic Civil Legal Services. Any fees deposited in excess of \$3,250,000 in fiscal year 2004 and \$3,250,000

SUPREME COURT OF TEXAS
(Continued)

in fiscal year 2005 are hereby appropriated to the Supreme Court for the same purpose (estimated to be \$0). Any unexpended balances in the Basic Civil Legal Services account at the end of fiscal year 2003 are hereby appropriated to the Supreme Court in fiscal year 2004 for the same purpose (estimated to be \$3,700,000 and included in amounts appropriated above).

The Supreme Court of Texas shall file a report with the Legislative Budget Board and the Governor within 90 days following February 28 and August 31 of each fiscal year showing disbursements from the Basic Civil Legal Services Account of Judicial Fund No. 573, the purpose for each disbursement, and compliance with grant conditions.

- 2. **Equalization.** It is the intent of the Legislature that the Supreme Court equalize the dockets of the fourteen courts of appeals. Equalization shall be considered achieved if the new cases filed each year per justice are equalized by 10 percent or less among all the courts of appeals.
- 3. **Baseline for Fiscal Years 2006–07.** It is the intent of the Legislature for the Supreme Court to use the balance of local funds collected under Government Code, § 51.006 for appellate court operations during fiscal years 2004–05 (estimated to be \$130,000, a balance held outside the state treasury). Use of these funds will reduce the license fund balance to the minimum required for continued operations authorized under Government Code, § 51.006. It is the intent of the Legislature for the Seventy-ninth Legislature to address this method of finance.
- 4. **Special Masters: State Commission on Judicial Conduct.** The appropriations to the State Commission on Judicial Conduct reflect the intent of the Legislature to encourage the Supreme Court of Texas to appoint active judges rather than retired judges as special masters in formal proceedings initiated by the State Commission on Judicial Conduct under Rule 10 of the *Procedural Rules for the Removal or Retirement of Judges*.
- 5. **Technology Advancement.** Notwithstanding any other provisions of this Act relating to the Telecommunications Infrastructure Board (TIFB), the cash and credits originally due to be received by the TIFB pursuant to the approved settlement of Cause No. 98-07-3003-E in the District Court of Cameron County, 357th Judicial District (estimated to be \$3,000,000 in fiscal year 2004), are appropriated to the Supreme Court of Texas. The availability of these funds is contingent upon the above-mentioned settlement funds becoming available for appropriation. These amounts are to be used for the purpose of administering grants to provide public access to legal information at public libraries, courthouse facilities, and community technology centers. The funds appropriated herein are a one-time appropriation.

COURT OF CRIMINAL APPEALS

	For the Years Ending	
	August 31, 2004	August 31, 2005
A. Goal: APPELLATE COURT OPERATIONS		
Outcome (Results/Impact):		
Disposition Rate for Petitions for Discretionary Review		
Which Are Granted	79%	79%
Disposition Rate for Death Penalty Cases	43%	43%
A.1.1. Strategy: APPELLATE COURT OPERATIONS	\$ 4,091,766	\$ 4,091,766 & UB
Efficiencies:		
Average Time (in Days) from the Time Petitions for Discretionary Review Are Granted until Disposition	282	282
Average Time from Time Filed to Disposition in Death Penalty Cases	638	638

COURT OF CRIMINAL APPEALS
(Continued)

B. Goal: JUDICIAL EDUCATION

B.1.1. Strategy: JUDICIAL EDUCATION	\$	9,257,955	\$	9,032,955 & UB
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Grand Total, COURT OF CRIMINAL APPEALS	\$	13,349,721	\$	13,124,721
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Method of Financing:

General Revenue Fund	\$	4,091,766	\$	4,091,766
Judicial and Court Personnel Training Fund No. 540		9,257,955		9,032,955

Total, Method of Financing	\$	13,349,721	\$	13,124,721
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Number of Full-Time-Equivalent Positions (FTE):		68.0		68.0
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Schedule of Exempt Positions:

Presiding Judge		\$115,000		\$115,000
Judge		(8) 113,000		(8) 113,000

Object-of-Expense Informational Listing:

Salaries and Wages	\$	3,951,469	\$	3,951,469
Other Personnel Costs		45,660		45,660
Operating Costs		172,996		172,996
Grants		9,179,596		8,954,596

Total, Object-of-Expense Informational Listing	\$	13,349,721	\$	13,124,721
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1. Judicial Education.

- a. The Court of Criminal Appeals may assign to the Office of Court Administration or to any other agency of the Judicial Branch the necessary administrative and accounting functions for the Judicial and Court Personnel Training Fund appropriation included in this Act to be performed under the direction of the Court of Criminal Appeals in compliance with Government Code § 56. To implement this provision, the Comptroller is authorized to transfer the appropriation from the Court of Criminal Appeals to the Office of Court Administration, or to any other agency of the Judicial Branch, as directed by order of the Court of Criminal Appeals. Of the amount appropriated for Strategy B.1.1, Judicial Education, \$475,000 in fiscal year 2004 and \$475,000 and unexpended balances in fiscal year 2005 shall be expended for the continuing legal education of judges of county courts performing judicial functions.
- b. None of the funds appropriated above in Strategy B.1.1, Judicial Education, in excess of 3 percent of the appropriated amount in any fiscal year shall be expended for the administration of the judicial education function. For the purposes of this provision, the term administration shall include, but not be limited to, administrative oversight functions, accounting and auditing functions, management studies, performance audits, and other studies initiated by the Court of Criminal Appeals or the Office of Court Administration.
- c. Funds expended by either the Court of Criminal Appeals or the Office of Court Administration, out of the appropriation made above out of the Judicial and Court Personnel Training Fund, for the purpose of conducting management studies, performance audits, or other studies, shall be expended only in accordance with a competitive bidding process.

2. **Limitation, Judicial and Court Personnel Training.** Out of the funds appropriated above in Strategy B.1.1, Judicial Education, \$1,000,000 in the first year of the biennium and \$1,000,000 and unexpended balances in the second year of the biennium may be expended only to provide

COURT OF CRIMINAL APPEALS

(Continued)

for the training and continuing legal education of the clerks and other court personnel of the appellate courts, district courts, county courts at law, county courts, justice courts, and municipal courts of this State in accordance with Government Code § 74.025.

3. **Continuing Education and Technical Assistance for Prosecutors and Criminal Defense Attorneys.**
 - a. The Court of Criminal Appeals is authorized to contract with a statewide professional association of prosecuting attorneys and other entities whose purposes include providing continuing legal education courses, programs and technical assistance projects for prosecutors and prosecutor office personnel, provided, however, that such contract shall not exceed \$1,400,000 in fiscal year 2004 and \$1,400,000 and unexpended balances in fiscal year 2005.
 - b. The Court of Criminal Appeals is authorized to contract with a statewide professional association of criminal defense attorneys and other entities whose purposes include providing continuing legal education courses, programs and technical assistance projects for criminal defense attorneys who regularly represent indigent defendants in criminal matters, provided, however, that such contract shall not exceed \$1,250,000 in fiscal year 2004 and \$1,250,000 and unexpended balances in fiscal year 2005.
 - c. Funds may be expended pursuant to this provision only out of the appropriation made above out of the Judicial and Court Personnel Training Fund No. 540.
4. **Judicial Education: Reimbursement for Travel Expenses.** Funds appropriated above in Strategy B.1.1, Judicial Education, for the purposes established in § 56.003(b) of the Government Code, may be granted only pursuant to a grant contract which provides for the reimbursement of expenses of judges pursuant to the provisions of § 74.062 of the Government Code. This provision shall not apply to funds granted for the purpose of providing continuing legal education for judges of county courts performing judicial functions.
5. **Judicial and Court Personnel Training Report.** The Court of Criminal Appeals shall file a report with the Legislative Budget Board and the Governor within 90 days following February 28 and August 31 of each fiscal year showing disbursements from Judicial and Court Personnel Training Fund No. 540, the purpose for each disbursement, and compliance with grant conditions.
6. **Appropriation: Refunds of Unexpended Balances from Training Entities.** The Court of Criminal Appeals shall maintain procedures to ensure that the state is refunded all unexpended and unencumbered balances of state funds held at the close of the 2002–03 biennium and at the close of fiscal year 2004 by entities receiving appropriations to conduct judicial and court personnel training. All fiscal year 2002–03 refunds received by the Court of Criminal Appeals are appropriated to Strategy B.1.1, Judicial Education, in fiscal year 2004 (estimated to be \$225,000 and included in amounts appropriated above). Further, all fiscal year 2004 refunds received by the Court of Criminal Appeals are appropriated to Strategy B.1.1, Judicial Education, in fiscal year 2005.
7. **Judicial Ethics Education, Programs, and Assistance.** Out of the amounts appropriated above in Strategy B.1.1, Judicial Education, \$121,700 in fiscal year 2004 and \$121,700 in fiscal year 2005 shall be expended in the form of interagency contracts with the State Commission on Judicial Conduct for providing judges with judicial ethics education, programs, and assistance.

FIRST COURT OF APPEALS DISTRICT, HOUSTON

	For the Years Ending	
	August 31,	August 31,
	2004	2005
Out of the General Revenue Fund:		
A. Goal: APPELLATE COURT OPERATIONS		
Outcome (Results/Impact):		
Clearance Rate	98%	98%
Average Percent of Cases under Submission for More than 12 Months	3.5%	3.5%
Average Percent of Cases Filed but Not Yet Disposed for More than 24 Months	3.5%	3.5%
A.1.1. Strategy: APPELLATE COURT OPERATIONS	\$ 2,638,400	\$ 2,638,400
		& UB
Grand Total, FIRST COURT OF APPEALS DISTRICT, HOUSTON	\$ 2,638,400	\$ 2,638,400
Number of Full-Time-Equivalent Positions (FTE):		
	41.5	41.5
Schedule of Exempt Positions:		
Chief Justice	\$107,850	\$107,850
Justice	(8) 107,350	(8) 107,350
Object-of-Expense Informational Listing:		
Salaries and Wages	\$ 2,520,512	\$ 2,520,512
Other Personnel Costs	31,600	31,600
Consumable Supplies	11,000	11,000
Travel	8,000	8,000
Rent - Machine and Other	14,000	14,000
Other Operating Expense	53,288	53,288
Total, Object-of-Expense Informational Listing	\$ 2,638,400	\$ 2,638,400

SECOND COURT OF APPEALS DISTRICT, FORT WORTH

	For the Years Ending	
	August 31,	August 31,
	2004	2005
Out of the General Revenue Fund:		
A. Goal: APPELLATE COURT OPERATIONS		
Outcome (Results/Impact):		
Clearance Rate	98%	98%
Average Percent of Cases under Submission for More than 12 Months	2.5%	2.5%
Average Percent of Cases Filed but Not Yet Disposed for More than 24 Months	1.5%	1.5%
A.1.1. Strategy: APPELLATE COURT OPERATIONS	\$ 2,126,557	\$ 2,126,557
		& UB
Grand Total, SECOND COURT OF APPEALS DISTRICT, FORT WORTH	\$ 2,126,557	\$ 2,126,557
Number of Full-Time-Equivalent Positions (FTE):		
	36.5	36.5

SECOND COURT OF APPEALS DISTRICT, FORT WORTH
(Continued)

Schedule of Exempt Positions:		
Chief Justice	\$107,850	\$107,850
Justice	(6) 107,350	(6) 107,350
Object-of-Expense Informational Listing:		
Salaries and Wages	\$ 1,988,110	\$ 1,988,110
Other Personnel Costs	14,000	14,000
Consumable Supplies	12,526	12,526
Travel	15,000	15,000
Rent - Building	14	14
Rent - Machine and Other	928	928
Other Operating Expense	78,979	78,979
Capital Expenditures	17,000	17,000
Total, Object-of-Expense Informational Listing	\$ 2,126,557	\$ 2,126,557

THIRD COURT OF APPEALS DISTRICT, AUSTIN

	For the Years Ending	
	August 31,	August 31,
	2004	2005
Out of the General Revenue Fund:		
A. Goal: APPELLATE COURT OPERATIONS		
Outcome (Results/Impact):		
Clearance Rate	98%	98%
Average Percent of Cases under Submission for More than 12 Months	1%	1%
Average Percent of Cases Filed but Not Yet Disposed for More than 24 Months	1%	1%
A.1.1. Strategy: APPELLATE COURT OPERATIONS	\$ 1,909,607	\$ 1,909,607
		& UB
Grand Total, THIRD COURT OF APPEALS DISTRICT, AUSTIN	\$ 1,909,607	\$ 1,909,607

Number of Full-Time-Equivalent Positions (FTE):	31.5	31.5
Schedule of Exempt Positions:		
Chief Justice	\$107,850	\$107,850
Justice	(5) 107,350	(5) 107,350
Object-of-Expense Informational Listing:		
Salaries and Wages	\$ 1,799,517	\$ 1,799,517
Other Personnel Costs	14,550	14,550
Consumable Supplies	7,900	7,900
Travel	6,000	6,000
Rent - Machine and Other	8,640	8,640
Other Operating Expense	41,000	41,000
Capital Expenditures	32,000	32,000
Total, Object-of-Expense Informational Listing	\$ 1,909,607	\$ 1,909,607

FOURTH COURT OF APPEALS DISTRICT, SAN ANTONIO

	For the Years Ending	
	August 31, 2004	August 31, 2005
Out of the General Revenue Fund:		
A. Goal: APPELLATE COURT OPERATIONS		
Outcome (Results/Impact):		
Clearance Rate	98%	98%
Average Percent of Cases under Submission for More than 12 Months	2%	2%
Average Percent of Cases Filed but Not Yet Disposed for More than 24 Months	1%	1%
A.1.1. Strategy: APPELLATE COURT OPERATIONS	\$ 2,075,118	\$ 2,075,118 & UB
Grand Total, FOURTH COURT OF APPEALS DISTRICT, SAN ANTONIO	\$ 2,075,118	\$ 2,075,118
Number of Full-Time-Equivalent Positions (FTE):		
	34.5	34.5
Schedule of Exempt Positions:		
Chief Justice	\$107,850	\$107,850
Justice	(6) 107,350	(6) 107,350
Object-of-Expense Informational Listing:		
Salaries and Wages	\$ 1,988,031	\$ 2,016,047
Other Personnel Costs	12,076	8,071
Operating Costs	68,000	50,000
Capital Expenditures	7,011	1,000
Total, Object-of-Expense Informational Listing	\$ 2,075,118	\$ 2,075,118

FIFTH COURT OF APPEALS DISTRICT, DALLAS

	For the Years Ending	
	August 31, 2004	August 31, 2005
Out of the General Revenue Fund:		
A. Goal: APPELLATE COURT OPERATIONS		
Outcome (Results/Impact):		
Clearance Rate	98%	98%
Average Percent of Cases under Submission for More than 12 Months	4.25%	4.25%
Average Percent of Cases Filed but Not Yet Disposed for More than 24 Months	2%	2%
A.1.1. Strategy: APPELLATE COURT OPERATIONS	\$ 3,597,569	\$ 3,597,572 & UB
Grand Total, FIFTH COURT OF APPEALS DISTRICT, DALLAS	\$ 3,597,569	\$ 3,597,572
Number of Full-Time-Equivalent Positions (FTE):		
	52.5	52.5

FIFTH COURT OF APPEALS DISTRICT, DALLAS
(Continued)

Schedule of Exempt Positions:

Chief Justice	\$107,850	\$107,850
Justice	(12) 107,350	(12) 107,350

Object-of-Expense Informational Listing:

Salaries and Wages	\$ 3,436,616	\$ 3,436,619
Other Personnel Costs	24,000	24,000
Operating Costs	136,953	136,953

Total, Object-of-Expense Informational Listing \$ 3,597,569 \$ 3,597,572

SIXTH COURT OF APPEALS DISTRICT, TEXARKANA

For the Years Ending
August 31, August 31,
2004 2005

Out of the General Revenue Fund:

A. Goal: APPELLATE COURT OPERATIONS

Outcome (Results/Impact):

Clearance Rate	98%	98%
Average Percent of Cases under Submission for More than 12 Months	1%	1%
Average Percent of Cases Filed but Not Yet Disposed for More than 24 Months	1%	1%

A.1.1. Strategy: APPELLATE COURT OPERATIONS \$ 1,028,048 \$ 1,028,049
& UB

Grand Total, SIXTH COURT OF APPEALS DISTRICT, TEXARKANA \$ 1,028,048 \$ 1,028,049

Number of Full-Time-Equivalent Positions (FTE): 16.5 16.5

Schedule of Exempt Positions:

Chief Justice	\$107,850	\$107,850
Justice	(2) 107,350	(2) 107,350

Object-of-Expense Informational Listing:

Salaries and Wages	\$ 966,059	\$ 966,059
Other Personnel Costs	6,180	7,400
Consumable Supplies	6,000	6,000
Utilities	8,000	8,000
Travel	11,000	11,000
Rent - Building	2,400	2,400
Rent - Machine and Other	1,200	1,200
Other Operating Expense	27,209	25,990

Total, Object-of-Expense Informational Listing \$ 1,028,048 \$ 1,028,049

SEVENTH COURT OF APPEALS DISTRICT, AMARILLO

	For the Years Ending	
	August 31, 2004	August 31, 2005
Out of the General Revenue Fund:		
A. Goal: APPELLATE COURT OPERATIONS		
Outcome (Results/Impact):		
Clearance Rate	98%	98%
Average Percent of Cases under Submission for More than 12 Months	2%	2%
Average Percent of Cases Filed but Not Yet Disposed for More than 24 Months	1%	1%
A.1.1. Strategy: APPELLATE COURT OPERATIONS	\$ 1,406,698	\$ 1,406,699 & UB
Grand Total, SEVENTH COURT OF APPEALS DISTRICT, AMARILLO	\$ 1,406,698	\$ 1,406,699
Number of Full-Time-Equivalent Positions (FTE):		
	21.0	21.0
Schedule of Exempt Positions:		
Chief Justice	\$ 107,850	\$ 107,850
Justice	(3) 107,350	(3) 107,350
Object-of-Expense Informational Listing:		
Salaries and Wages	\$ 1,311,082	\$ 1,311,082
Other Personnel Costs	10,000	10,000
Consumable Supplies	12,500	12,500
Utilities	4,500	4,500
Travel	10,500	10,500
Rent - Machine and Other	500	500
Other Operating Expense	57,616	57,617
Total, Object-of-Expense Informational Listing	\$ 1,406,698	\$ 1,406,699

EIGHTH COURT OF APPEALS DISTRICT, EL PASO

	For the Years Ending	
	August 31, 2004	August 31, 2005
Out of the General Revenue Fund:		
A. Goal: APPELLATE COURT OPERATIONS		
Outcome (Results/Impact):		
Clearance Rate	98%	98%
Average Percent of Cases under Submission for More than 12 Months	1%	1%
Average Percent of Cases Filed but Not Yet Disposed for More than 24 Months	1%	1%
A.1.1. Strategy: APPELLATE COURT OPERATIONS	\$ 1,328,754	\$ 1,328,755 & UB
Grand Total, EIGHTH COURT OF APPEALS DISTRICT, EL PASO	\$ 1,328,754	\$ 1,328,755
Number of Full-Time-Equivalent Positions (FTE):		
	21.0	21.0

EIGHTH COURT OF APPEALS DISTRICT, EL PASO
(Continued)

Schedule of Exempt Positions:		
Chief Justice	\$107,850	\$107,850
Justice	(3) 107,350	(3) 107,350
Object-of-Expense Informational Listing:		
Salaries and Wages	\$ 1,259,968	\$ 1,259,969
Other Personnel Costs	11,000	12,000
Operating Costs	<u>57,786</u>	<u>56,786</u>
Total, Object-of-Expense Informational Listing	<u><u>\$ 1,328,754</u></u>	<u><u>\$ 1,328,755</u></u>

NINTH COURT OF APPEALS DISTRICT, BEAUMONT

	For the Years Ending	
	August 31,	August 31,
	2004	2005
Out of the General Revenue Fund:		
A. Goal: APPELLATE COURT OPERATIONS		
Outcome (Results/Impact):		
Clearance Rate	98%	98%
Average Percent of Cases under Submission for More than 12 Months	1%	1%
Average Percent of Cases Filed but Not Yet Disposed for More than 24 Months	1%	1%
A.1.1. Strategy: APPELLATE COURT OPERATIONS	\$ 1,083,963	\$ 1,083,963
		& UB
Grand Total, NINTH COURT OF APPEALS DISTRICT, BEAUMONT	<u><u>\$ 1,083,963</u></u>	<u><u>\$ 1,083,963</u></u>

Number of Full-Time-Equivalent Positions (FTE):	16.5	16.5
Schedule of Exempt Positions:		
Chief Justice	\$107,850	\$107,850
Justice	(2) 107,350	(2) 107,350
Object-of-Expense Informational Listing:		
Salaries and Wages	\$ 1,054,083	\$ 1,054,083
Other Personnel Costs	10,360	11,700
Consumable Supplies	4,000	4,000
Travel	6,000	6,000
Other Operating Expense	<u>9,520</u>	<u>8,180</u>
Total, Object-of-Expense Informational Listing	<u><u>\$ 1,083,963</u></u>	<u><u>\$ 1,083,963</u></u>

TENTH COURT OF APPEALS DISTRICT, WACO

	For the Years Ending	
	August 31, 2004	August 31, 2005
Out of the General Revenue Fund:		
A. Goal: APPELLATE COURT OPERATIONS		
Outcome (Results/Impact):		
Clearance Rate	98%	98%
Average Percent of Cases under Submission for More than 12 Months	1%	1%
Average Percent of Cases Filed but Not Yet Disposed for More than 24 Months	1%	1%
A.1.1. Strategy: APPELLATE COURT OPERATIONS	\$ 1,064,878	\$ 1,064,879 & UB
Grand Total, TENTH COURT OF APPEALS DISTRICT, WACO	\$ 1,064,878	\$ 1,064,879
Number of Full-Time-Equivalent Positions (FTE):		
	16.5	16.5
Schedule of Exempt Positions:		
Chief Justice	\$107,850	\$107,850
Justice	(2) 107,350	(2) 107,350
Object-of-Expense Informational Listing:		
Salaries and Wages	\$ 922,268	\$ 922,269
Other Personnel Costs	5,000	5,000
Consumable Supplies	12,000	12,000
Utilities	3,500	3,500
Travel	12,000	12,000
Rent - Building	1,620	1,620
Rent - Machine and Other	1,180	1,180
Other Operating Expense	102,310	102,310
Capital Expenditures	5,000	5,000
Total, Object-of-Expense Informational Listing	\$ 1,064,878	\$ 1,064,879

ELEVENTH COURT OF APPEALS DISTRICT, EASTLAND

	For the Years Ending	
	August 31, 2004	August 31, 2005
Out of the General Revenue Fund:		
A. Goal: APPELLATE COURT OPERATIONS		
Outcome (Results/Impact):		
Clearance Rate	98%	98%
Average Percent of Cases under Submission for More than 12 Months	1%	1%
Average Percent of Cases Filed but Not Yet Disposed for More than 24 Months	1%	1%
A.1.1. Strategy: APPELLATE COURT OPERATIONS	\$ 1,063,290	\$ 1,063,291 & UB
Grand Total, ELEVENTH COURT OF APPEALS DISTRICT, EASTLAND	\$ 1,063,290	\$ 1,063,291

ELEVENTH COURT OF APPEALS DISTRICT, EASTLAND
(Continued)

Number of Full-Time-Equivalent Positions (FTE):	17.0	17.0
Schedule of Exempt Positions:		
Chief Justice	\$107,850	\$107,850
Justice	(2) 107,350	(2) 107,350
Object-of-Expense Informational Listing:		
Salaries and Wages	\$ 1,063,290	\$ 1,063,291
Total, Object-of-Expense Informational Listing	\$ 1,063,290	\$ 1,063,291

TWELFTH COURT OF APPEALS DISTRICT, TYLER

	For the Years Ending	
	August 31,	August 31,
	2004	2005
Out of the General Revenue Fund:		
A. Goal: APPELLATE COURT OPERATIONS		
Outcome (Results/Impact):		
Clearance Rate	98%	98%
Average Percent of Cases under Submission for More than 12 Months	1%	1%
Average Percent of Cases Filed but Not Yet Disposed for More than 24 Months	1%	1%
A.1.1. Strategy: APPELLATE COURT OPERATIONS	\$ 1,072,727	\$ 1,072,728 & UB
Grand Total, TWELFTH COURT OF APPEALS DISTRICT, TYLER	\$ 1,072,727	\$ 1,072,728

Number of Full-Time-Equivalent Positions (FTE):	16.0	16.0
Schedule of Exempt Positions:		
Chief Justice	\$107,850	\$107,850
Justice	(2) 107,350	(2) 107,350
Object-of-Expense Informational Listing:		
Salaries and Wages	\$ 1,010,636	\$ 1,010,638
Other Personnel Costs	5,520	5,520
Operating Costs	23,518	23,518
Consumable Supplies	6,800	6,800
Travel	5,500	5,500
Rent - Machine and Other	6,853	6,853
Other Operating Expense	5,102	5,102
Capital Expenditures	8,798	8,797
Total, Object-of-Expense Informational Listing	\$ 1,072,727	\$ 1,072,728

THIRTEENTH COURT OF APPEALS DISTRICT, CORPUS CHRISTI

	For the Years Ending	
	August 31, 2004	August 31, 2005
Out of the General Revenue Fund:		
A. Goal: APPELLATE COURT OPERATIONS		
Outcome (Results/Impact):		
Clearance Rate	98%	98%
Average Percent of Cases under Submission for More than 12 Months	4.25%	4.25%
Average Percent of Cases Filed but Not Yet Disposed for More than 24 Months	5%	5%
A.1.1. Strategy: APPELLATE COURT OPERATIONS	\$ 1,898,598	\$ 1,898,598 & UB
Grand Total, THIRTEENTH COURT OF APPEALS DISTRICT, CORPUS CHRISTI	\$ 1,898,598	\$ 1,898,598
Number of Full-Time-Equivalent Positions (FTE):		
	32.0	32.0
Schedule of Exempt Positions:		
Chief Justice	\$ 107,850	\$ 107,850
Justice	(5) 107,350	(5) 107,350
Object-of-Expense Informational Listing:		
Salaries and Wages	\$ 1,809,109	\$ 1,809,108
Other Personnel Costs	10,560	10,560
Operating Costs	41,500	41,500
Consumable Supplies	4,149	4,150
Utilities	16,800	16,800
Travel	15,000	15,000
Rent - Machine and Other	1,480	1,480
Total, Object-of-Expense Informational Listing	\$ 1,898,598	\$ 1,898,598

FOURTEENTH COURT OF APPEALS DISTRICT, HOUSTON

	For the Years Ending	
	August 31, 2004	August 31, 2005
Out of the General Revenue Fund:		
A. Goal: APPELLATE COURT OPERATIONS		
Outcome (Results/Impact):		
Clearance Rate	98%	98%
Average Percent of Cases under Submission for More than 12 Months	4%	4%
Average Percent of Cases Filed but Not Yet Disposed for More than 24 Months	4%	4%
A.1.1. Strategy: APPELLATE COURT OPERATIONS	\$ 2,638,400	\$ 2,638,400 & UB
Grand Total, FOURTEENTH COURT OF APPEALS DISTRICT, HOUSTON	\$ 2,638,400	\$ 2,638,400
Number of Full-Time-Equivalent Positions (FTE):		
	41.0	41.0

FOURTEENTH COURT OF APPEALS DISTRICT, HOUSTON
(Continued)

Schedule of Exempt Positions:

Chief Justice	\$107,850	\$107,850
Justice	(8) 107,350	(8) 107,350

Object-of-Expense Informational Listing:

Salaries and Wages	\$ 2,436,067	\$ 2,436,067
Other Personnel Costs	16,210	16,210
Operating Costs	155,410	155,410
Capital Expenditures	30,713	30,713

Total, Object-of-Expense Informational Listing	\$ 2,638,400	\$ 2,638,400
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OFFICE OF COURT ADMINISTRATION, TEXAS JUDICIAL COUNCIL *

	For the Years Ending	
	August 31, 2004	August 31, 2005
A. Goal: PROCESSES AND INFORMATION		
Improve processes and report information.		
Outcome (Results/Impact):		
Number of New Collections Programs Implemented or Existing		
Programs Expanded	12	12
Percent of Entities Reporting Case Statistics Electronically	25%	38%
Percent of Counties Receiving State Funds for Indigent Defense	94%	94%
A.1.1. Strategy: COURT ADMINISTRATION	\$ 2,075,694	\$ 2,076,964
A.1.2. Strategy: INFORMATION TECHNOLOGY	\$ 3,064,516	\$ 2,213,316
A.1.3. Strategy: DOCKET EQUALIZATION	\$ 25,000	\$ 25,000
		& UB
Equalization of the courts of appeals dockets.		
A.1.4. Strategy: ASSIST ADMIN JUDICIAL REGIONS	\$ 179,390	\$ 179,470
Assistance to the administrative judicial regions.		
A.1.5. Strategy: INDIGENT DEFENSE	\$ 12,226,545	\$ 11,956,912
		& UB
Indigent defense standards and services.		
Total, Goal A: PROCESSES AND INFORMATION	\$ 17,571,145	\$ 16,451,662
B. Goal: SPECIALIZED COURT PROGRAMS		
Complete specialized court program cases.		
Outcome (Results/Impact):		
Title IV-D Case Disposition Rate	100%	100%
B.1.1. Strategy: TITLE IV-D MASTERS/ASSISTANTS PROG	\$ 5,661,596	\$ 5,754,132
Title IV-D Masters and Assistants Program.		
B.1.2. Strategy: FOSTER CARE COURTS PROGRAM	\$ 1,968,498	\$ 1,864,702
Output (Volume):		
Number of Children Who Have Received a Final Order	1,440	1,440
Total, Goal B: SPECIALIZED COURT PROGRAMS	\$ 7,630,094	\$ 7,618,834
Grand Total, OFFICE OF COURT ADMINISTRATION, TEXAS JUDICIAL COUNCIL	\$ 25,201,239	\$ 24,070,496

*Pursuant to Article IX, Section 11.39, appropriations to the Court Reporters Certification Board will be transferred to the Office of Court Administration.

OFFICE OF COURT ADMINISTRATION, TEXAS JUDICIAL COUNCIL
(Continued)

Method of Financing:		
General Revenue Fund	\$ 5,851,557	\$ 4,948,539
<u>General Revenue Fund - Dedicated</u>		
Compensation to Victims of Crime Account No. 469	1,124,651	1,072,753
Fair Defense Account No. 5073	12,226,545	11,956,912
Subtotal, General Revenue Fund - Dedicated	\$ 13,351,196	\$ 13,029,665
<u>Other Funds</u>		
Interagency Contracts	5,819,576	5,913,382
Criminal Justice Grants	178,910	178,910
Subtotal, Other Funds	\$ 5,998,486	\$ 6,092,292
Total, Method of Financing	\$ 25,201,239	\$ 24,070,496
Other Direct and Indirect Costs Appropriated Elsewhere in this Act		
	\$ 7,366	\$ 7,473
Number of Full-Time-Equivalent Positions (FTE):	182.0	182.0
Schedule of Exempt Positions:		
Administrative Director, Group 4	\$98,000	\$98,000
Object-of-Expense Informational Listing:		
Salaries and Wages	\$ 9,999,113	\$ 10,088,470
Other Personnel Costs	136,854	140,114
Operating Costs	998,330	931,407
Professional Fees and Services	435,673	433,272
Consumable Supplies	85,585	85,585
Utilities	4,834	4,834
Travel	219,182	219,074
Rent - Building	100	100
Rent - Machine and Other	10,900	10,900
Other Operating Expense	1,543,308	697,513
Grants	11,719,954	11,450,321
Capital Expenditures	47,406	8,906
Total, Object-of-Expense Informational Listing	\$ 25,201,239	\$ 24,070,496

1. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103.

	2004	2005
a. Acquisition of Information Resource Technologies		
(1) Computer Equipment and Software	\$ 677,205	\$ UB
(2) Trial Court Interface Development	200,858	200,858
(3) Trial Court County Infrastructure Project	141,610	141,610
Total, Capital Budget	\$ 1,019,673	\$ 342,468

OFFICE OF COURT ADMINISTRATION, TEXAS JUDICIAL COUNCIL
(Continued)

Method of Financing (Capital Budget):

General Revenue Fund	\$	1,001,925	\$	342,468
GR Dedicated - Compensation to Victims of Crime				
Account No. 469		17,748		0
<hr/>				
Total, Method of Financing	\$	1,019,673	\$	342,468

2. **Restriction, Assistance to the Administrative Judicial Regions.** Funds appropriated in A.1.4. Strategy, Assistance to Administrative Judicial Regions, may be used only for the payment of salaries of administrative assistants employed by the presiding judges of the Administrative Judicial Regions pursuant to Government Code § 74.050, as amended. The salaries paid the administrative assistants may be supplemented from sources other than appropriations provided by this Act.
3. **Information Regarding Allocation of Full-Time-Equivalent Positions.** The following data regarding allocation of the “Number of Full-Time-Equivalent Positions (FTE)” is provided for informational purposes only, and should not be construed as a cap on the number of FTEs in any one strategy: A.1.1. Strategy, Court Administration (29.0 FTEs); A.1.2. Strategy, Information Technology (21.5 FTEs); A.1.4. Strategy, Assistance to Administrative Judicial Regions (9.0 FTEs); A.1.5. Strategy, Indigent Defense (6.0 FTEs); B.1.1. Strategy, Title IV-D Masters and Assistants Program (88.5 FTEs); and B.1.2. Strategy, Foster Care Courts Program (28.0 FTEs).
4. **Disaster Recovery, Data Operations, Seat Management, and Information Services at the Appellate Courts.** It is the intent of the Legislature that contract services for disaster recovery and data operations services, including seat management, at the appellate courts must be performed by the State Data Center (SDC). Further, employees at appellate courts that perform on-site disaster recovery and data operations services, including seat management, must provide the same level of service available from SDC and may not be reimbursed by the Office of Court Administration from the A.1.2. Strategy, Information Technology, in an amount that would exceed the cost of a contract with SDC. It is the intent of the Legislature that the appellate courts may not employ contractors or employees that provide services that duplicate the information services provided by the Office of Court Administration.
5. **Information Services for the Trial Courts.** Out of funds appropriated above in Strategy A.1.2, Information Technology, no less than \$1,600,000 shall be dedicated to providing information services for the Trial Courts.
6. **Information Technology Equipment and Services.** It is the intent of the Legislature that the Office of Court Administration provide staff and information technology equipment and services for the Judicial Committee on Information Technology and information technology equipment and services for the State Law Library, Office of the State Prosecuting Attorney, and Court Reporters Certification Board subject to funds available within amounts appropriated above for Information Technology (A.1.2.). The State Law Library will continue to submit a biennial operating plan for internal support of subscription services to online legal research tools and daily library functions.
7. **District Court Performance Measures.** It is the intent of the Legislature that the Office of Court Administration report data for the district courts on a countywide basis and that the data measure countywide clearance rates for criminal, civil, and juvenile cases and measure age of cases disposed and the backlog index for criminal and civil cases. Further, the Office of Court Administration should revise its reporting system for the trial courts to simplify reporting, improve data collection and compliance, and streamline its annual report of the Texas judicial system.

OFFICE OF COURT ADMINISTRATION, TEXAS JUDICIAL COUNCIL
(Continued)

8. **Appellate Court Performance Measures.** It is the intent of the Legislature that the current performance measures for the appellate courts continue to be used for caseload management by each court in accordance with uniform data reporting standards approved by the courts of appeals. Further, the appellate courts should continuously find ways to operate efficiently without sacrificing the quality of justice while remaining true to the rule of law. Finally, the Office of Court Administration should continue to study whether the statistical data currently reported is presented in a clear, understandable format and what, if any, additional data should be collected.
9. **Assistance to Presiding Judges of the Nine Administrative Judicial Regions.** The Office of Court Administration shall assist the presiding judges of the nine administrative judicial regions in seeking alternative funding, including federal funding, for payments to visiting judges serving in the nine administrative judicial regions.
10. **Interagency Contract for Assigned Judges for Foster Care Courts.** Out of funds appropriated above to Strategy B.1.2, Foster Care Courts Program, the Office of Court Administration may enter into a contract with the Office of the Comptroller for fiscal years 2004 and 2005, for the purpose of reimbursing the Comptroller for amounts expended for judges assigned under Chapter 74, Government Code to hear cases of the Foster Care Courts established pursuant to Subchapter C, Chapter 201, Family Code. It is the intent of the Legislature that any amounts reimbursed under this contract for judges assigned to the Foster Care Courts are in addition to amounts appropriated for the use of assigned judges in Strategies A.1.2, Visiting Former Judges - Regions or A.1.4, Visiting Retired Judges - Regions in the Judiciary Section, Comptroller's Department.
11. **Appellate Court Transfers.** It is the intent of the Legislature that upon the request of the Chief Justice of the Supreme Court of Texas, the Presiding Judge of the Court of Criminal Appeals, or the Chair of the Council of Chief Justices, the Office of Court Administration shall assist the appellate courts in transferring funds between courts through interagency contract provisions.
12. **Contingency Appropriation to Increase Fine Collections and Provide Computer Security.** Included in the amounts appropriated above in Strategy A.1.1, Court Administration, the Office of Court Administration is appropriated the amounts of \$223,000 in fiscal year 2004 and \$223,000 in fiscal year 2005 from General Revenue contingent upon the Office of Court Administration implementing six model fines collections programs in fiscal year 2004 and six model fines collections programs in fiscal year 2005. Also contingent on the Office of Court Administration meeting the above collections target, the "Number of Full-Time-Equivalent Positions (FTE)" indicated above includes 3.0 FTEs each fiscal year of the biennium.

The appropriation amounts in this provision and the amount identified above in the informational item "Other Direct and Indirect Costs Appropriated Elsewhere in this Act" are also contingent on the Comptroller of Public Accounts issuing a finding of fact, based on sufficient information being provided by the Office of Court Administration to the Comptroller, that increased collections in excess of amounts in the Comptroller's Biennial Revenue Estimate are estimated to be available to fund the increased appropriations and related benefits for increases in FTEs pursuant to this section.
13. **Indigent Defense.** All court costs deposited into the Fair Defense Account (General Revenue - Dedicated Account) are appropriated in Strategy A.1.5, Indigent Defense. Any court costs deposited in excess of \$11,956,913 in fiscal year 2004 and \$11,956,912 in fiscal year 2005 are hereby appropriated to the Office of Court Administration, Texas Judicial Council for the same purpose. Any unexpended balances in the Fair Defense Account at the end of fiscal year 2003 are hereby appropriated for fiscal year 2004 to the Office of Court Administration, Texas Judicial Council for the same purpose (estimated to be \$269,632 and included in amounts appropriated above). Any unexpended balances in the Fair Defense Account at the end of fiscal year 2004 are hereby appropriated for fiscal year 2005 to the Office of Court Administration,

OFFICE OF COURT ADMINISTRATION, TEXAS JUDICIAL COUNCIL
(Continued)

Texas Judicial Council for the same purpose. Included above in Strategy A.1.5, Indigent Defense, is \$685,500 in fiscal year 2004 and \$685,500 in fiscal year 2005 for the administration of the Task Force on Indigent Defense. The Task Force on Indigent Defense shall have authority to make grants to counties from the Fair Defense Account, with funds being disbursed by the Comptroller. In no event shall the appropriation made by this section be used to offset the Office of Court Administration's administrative support provided to the Task Force on Indigent Defense.

14. **Unexpended Balances: Information Technology.** Any unexpended balances appropriated above for Information Technology (A.1.2.) in fiscal year 2004 are hereby appropriated to the Office of Court Administration for fiscal year 2005 for the same purposes.
15. **Unexpended Balances: Equalization of the Dockets.** Any unexpended balances appropriated above for Equalization of the Courts of Appeals Dockets (A.1.3.) in fiscal year 2004 are hereby appropriated to the Office of Court Administration for fiscal year 2005 for the same purpose.

OFFICE OF THE STATE PROSECUTING ATTORNEY

	For the Years Ending	
	August 31, 2004	August 31, 2005
Out of the General Revenue Fund:		
A. Goal: REPRESENTATION BEFORE CCA		
Representation of the State before the Court of Criminal Appeals.		
Outcome (Results/Impact):		
Petitions for Discretionary Review Granted by the Court of Criminal Appeals		
A.1.1. Strategy: REPRESENTATION BEFORE CCA	\$ 307,607	\$ 307,608
		& UB
Representation of the State before the Court of Criminal Appeals.		
Grand Total, OFFICE OF THE STATE PROSECUTING ATTORNEY	\$ 307,607	\$ 307,608
Number of Full-Time-Equivalent Positions (FTE):		
	5.0	5.0
Schedule of Exempt Positions:		
State Prosecuting Attorney	\$101,700	\$101,700
Object-of-Expense Informational Listing:		
Salaries and Wages	\$ 290,106	\$ 290,106
Other Personnel Costs	3,220	3,680
Operating Costs	13,081	12,622
Capital Expenditures	1,200	1,200
Total, Object-of-Expense Informational Listing	\$ 307,607	\$ 307,608

OFFICE OF THE STATE PROSECUTING ATTORNEY
(Continued)

1. **Contingency Appropriation.** All appropriations made under this provision are contingent on the Comptroller providing notice to the Legislative Budget Board regarding a finding of fact by the Comptroller (at the time of certification of this Act or after certification of this Act) that sufficient revenue is estimated to be available from the General Revenue Fund. The Comptroller shall transfer and release funds under this provision to the Office of the State Prosecuting Attorney, subject to the prior approval of the Legislative Budget Board, for the purpose of restoring agency salaries at the fiscal year 2002 levels for all employees in the agency, in the amount of \$28,563 in fiscal year 2004 and \$28,563 in fiscal year 2005.

STATE LAW LIBRARY

	For the Years Ending	
	August 31, 2004	August 31, 2005
A. Goal: ADMINISTRATION AND OPERATIONS		
Outcome (Results/Impact):		
Percentage of Positive Evaluations of Library Service by Library Users	88%	88%
A.1.1. Strategy: ADMINISTRATION AND OPERATIONS	\$ 845,392	\$ 845,392
Grand Total, STATE LAW LIBRARY	<u>\$ 845,392</u>	<u>\$ 845,392</u>
Method of Financing:		
General Revenue Fund	\$ 804,292	\$ 804,292
Appropriated Receipts	35,300	35,300
Interagency Contracts	5,800	5,800
Total, Method of Financing	<u>\$ 845,392</u>	<u>\$ 845,392</u>
Number of Full-Time-Equivalent Positions (FTE):	11.0	11.0
Schedule of Exempt Positions:		
Director, Group 1	\$58,000	\$58,000
Object-of-Expense Informational Listing:		
Salaries and Wages	\$ 408,456	\$ 408,456
Other Personnel Costs	7,020	7,440
Consumable Supplies	5,000	5,000
Utilities	240	240
Rent - Building	240	240
Rent - Machine and Other	14,400	14,400
Other Operating Expense	276,896	276,476
Capital Expenditures	133,140	133,140
Total, Object-of-Expense Informational Listing	<u>\$ 845,392</u>	<u>\$ 845,392</u>

1. **Appropriation of Receipts: Fees and Service Charges.** Appropriations above in Strategy A.1.1, Administration and Operations, include \$35,300 in fiscal year 2004 and \$35,300 in fiscal year 2005 from collection of fees and service charges. All receipts collected by the State Law Library as fees and service charges, as authorized pursuant to Government Code § 91.011, in excess of such amounts appropriated above, are hereby appropriated to the State Law Library for the biennium beginning September 1, 2003.

STATE LAW LIBRARY
(Continued)

2. **Computer-based Legal Research Services.** The State Law Library is hereby authorized to enter into interagency contracts with other state agencies and the courts for providing a computer-based legal research service. Appropriations above in Strategy A.1.1, Administration and Operations, include \$5,800 in fiscal year 2004 and \$5,800 in fiscal year 2005 in interagency contracts for computer-based legal research services. The State Law Library shall charge an amount for this service equal to the cost to the library for providing this service.
3. **Fee Schedule, Duplication Services.** The State Law Library shall set a fee schedule for duplication services to the inmates of the Texas Department of Criminal Justice at the same amount per page as charged to the general public.
4. **Unexpended Balances.** Any unexpended and unobligated balances remaining in Strategy A.1.1, Administration and Operations, as of August 31, 2004, are hereby appropriated, in an amount not to exceed \$50,000, to the State Law Library for the purpose of acquiring legal reference materials.

COURT REPORTERS CERTIFICATION BOARD*

	For the Years Ending	
	August 31, 2004	August 31, 2005
Out of the General Revenue Fund:		
A. Goal: EXAM AND CERTIFICATION		
Examination and certification.		
Outcome (Results/Impact):		
Percentage of Complaints Resulting in Disciplinary Action	18%	18%
Percentage of Licensees with No Recent Violations	99%	99%
Percent of Licensees Who Renew Online	10%	15%
Percent of New Individual Licenses Issued Online	0%	10%
A.1.1. Strategy: EXAM AND CERTIFICATION	\$ 163,475	\$ 166,802
Examination and certification.		
Output (Volume):		
Number of New Licenses Issued to Individuals	85	85
Grand Total, COURT REPORTERS CERTIFICATION BOARD	\$ 163,475	\$ 166,802
Other Direct and Indirect Costs Appropriated Elsewhere in this Act		
	\$ 55,750	\$ 55,697
Number of Full-Time-Equivalent Positions (FTE):	3.0	3.0
Schedule of Exempt Positions:		
Executive Director, Group 1	\$52,000	\$52,000
Object-of-Expense Informational Listing:		
Salaries and Wages	\$ 107,212	\$ 107,212
Other Personnel Costs	4,180	4,400
Professional Fees and Services	9,200	9,200
Consumable Supplies	2,000	2,000
Utilities	2,200	2,200
Travel	11,765	11,765

*Pursuant to Article IX, Section 11.39, appropriations will be transferred to the Office of Court Administration.

COURT REPORTERS CERTIFICATION BOARD
(Continued)

Rent - Machine and Other	5,902	5,902
Other Operating Expense	21,016	24,123
Total, Object-of-Expense Informational Listing	\$ 163,475	\$ 166,802

1. **Appropriations Limited to Revenue Collections.** It is the intent of the Legislature that fees, fines and other miscellaneous revenues as authorized and generated by the agency cover, at a minimum, the cost of the appropriations made above as well as an amount equal to the amount identified above in the informational item “Other Direct and Indirect Costs Appropriated Elsewhere in this Act.” In the event that actual and/or projected revenue collections are insufficient to offset the costs identified by this provision, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided above to be within the amount of revenue expected to be available.
2. **Sunset Contingency.** Funds appropriated above for fiscal year 2005 for the Court Reporters Certification Board are made contingent on the continuation of the Court Reporters Certification Board by the Seventy-eighth Legislature. In the event that the agency is not continued, the funds appropriated for fiscal year 2004 or as much thereof as may be necessary are to be used to provide for the phase out of agency operations.

STATE COMMISSION ON JUDICIAL CONDUCT

	For the Years Ending	
	August 31, 2004	August 31, 2005
A. Goal: ADMINISTRATION AND ENFORCEMENT		
Outcome (Results/Impact):		
Percentage of Cases Disposed	100%	100%
A.1.1. Strategy: ADMINISTRATION AND ENFORCEMENT	\$ 1,011,575	\$ 1,011,574
Grand Total, STATE COMMISSION ON JUDICIAL CONDUCT	\$ 1,011,575	\$ 1,011,574
Method of Financing:		
General Revenue Fund	\$ 889,875	\$ 889,874
Interagency Contracts	121,700	121,700
Total, Method of Financing	\$ 1,011,575	\$ 1,011,574
Number of Full-Time-Equivalent Positions (FTE):	17.0	17.0
Schedule of Exempt Positions:		
Executive Director, Group 4	\$100,000	\$100,000
Object-of-Expense Informational Listing:		
Salaries and Wages	\$ 842,495	\$ 842,495
Other Personnel Costs	12,080	12,080
Professional Fees and Services	28,700	28,700
Consumable Supplies	9,550	9,549
Utilities	11,000	11,000
Travel	78,800	78,800

STATE COMMISSION ON JUDICIAL CONDUCT
(Continued)

Rent - Machine and Other	3,500	3,500
Other Operating Expense	25,450	25,450
Total, Object-of-Expense Informational Listing	\$ 1,011,575	\$ 1,011,574

1. **Unexpended Balances.** The State Commission on Judicial Conduct is hereby authorized to carry forward unexpended balances from fiscal year 2004 into fiscal year 2005 in an amount not to exceed \$85,000.
2. **Formal Proceedings.** Out of the amounts appropriated above in Strategy A.1.1, Administration and Enforcement, \$75,000 in fiscal year 2004 and \$75,000 in fiscal year 2005 are authorized for the expenses of formal proceedings initiated under the *Procedural Rules for the Removal or Retirement of Judges* promulgated under Texas Constitution, Article V, Section 1-a, notwithstanding other funds expended by the Commission for that purpose. Unexpended balances of funds authorized under this provision in fiscal year 2004 and fiscal year 2005 are not appropriated to the Commission.
3. **Appropriation Source: Judicial Ethics Education, Programs, and Assistance.**
- a. Out of the amounts appropriated above in Strategy A.1.1, Administration and Enforcement, \$114,000 in fiscal year 2004 and \$114,000 in fiscal year 2005 from interagency contracts with the Court of Criminal Appeals shall be for the purpose of providing judges with judicial ethics education and assistance.
- b. Additionally, out of the amounts appropriated above in Strategy A.1.1, Administration and Enforcement, \$7,700 in fiscal year 2004 and \$7,700 in fiscal year 2005 from interagency contracts with the Court of Criminal Appeals shall be allocated to judicial misconduct prevention programs.
4. **Performance Measure Target.** In keeping with a recommendation of the State Auditor’s Office (*A Financial Review of the State Commission on Judicial Conduct*, SAO Report No. 03-002), it is the intent of the Legislature that the Commission improve the agency’s ability to attain or exceed the target for the agency’s key performance measure, *Percentage of Cases Disposed*, by addressing the issue of employee turnover.

JUDICIARY SECTION, COMPTROLLER’S DEPARTMENT*

	For the Years Ending	
	August 31, 2004	August 31, 2005
A. Goal: JUDICIAL SALARIES AND PAYMENTS		
To administer salaries and payments to district and visiting judges.		
A.1.1. Strategy: DISTRICT JUDGES	\$ 42,510,600	\$ 42,510,600
Salaries for district judges and criminal district judges per Section 1, Article V, Texas Constitution. Estimated.		
A.1.2. Strategy: VISITING FORMER JUDGES - REGIONS	\$ 602,891	\$ 602,891
Payment of former judges called to duty as visiting judges per Government Code § 74.061(d)(i); salaries of retired district judges assigned to special juvenile courts or		

*This appropriation is affected by Article IX, Section 11.43 and Section 11.52.

JUDICIARY SECTION, COMPTROLLER'S DEPARTMENT
(Continued)

domestic relations courts per Government Code § 24.006(f); and special judges salaries per Government Code § 32.302.			
A.1.3. Strategy: VISITING FORMER JUDGES - APPELLATE	\$	62,782	\$ 62,783
Payment of former appellate judges called to duty as visiting judges per Government Code § 74.061(d).			
A.1.4. Strategy: VISITING RETIRED JUDGES - REGIONS	\$	2,759,458	\$ 2,759,458
Payment of retired judges called to duty as visiting judges per Government Code § 74.061(c)(h).			
A.1.5. Strategy: VISITING RETIRED JUDGES-APPELLATE	\$	236,181	\$ 236,182
Payment of retired appellate judges called to duty as visiting judges per Government Code § 74.061(c).			
A.1.6. Strategy: LOCAL ADMIN. JUDGE SUPPLEMENT	\$	45,000	\$ 45,000
Provide \$5,000 salary supplement to local administrative judges who serve in counties with more than six district courts per Government Code § 659.0125. Estimated.			
A.1.7. Strategy: DISTRICT JUDGES: TRAVEL	\$	478,500	\$ 478,500
Expenses of district judges while engaged in the actual performance of their duties whose judicial district is composed of more than one county per Government Code § 24.019, not to exceed \$1,500 per county.			
A.1.8. Strategy: JUDICIAL SALARY PER DIEM	\$	302,000	\$ 302,000
Per diem for active, retired, and former district judges and statutory county court of law judges serving on assignment and the per diem and expenses for active and retired justices and judges of the Supreme Court, Court of Criminal Appeals, or of a Court of Appeals, when holding court out of their district or county when assigned per Government Code, Chapter 74. Estimated.			
Total, Goal A: JUDICIAL SALARIES AND PAYMENTS	\$	46,997,412	\$ 46,997,414

B. Goal: PROSECUTOR SALARIES AND PAYMENTS			
To administer payments to District Attorneys, Criminal District Attorneys, and County Attorneys with Felony Prosecution Authority; salary supplements to two Travis County Assistant District Attorneys; and office apportionment expenses of state prosecutors.			
B.1.1. Strategy: DISTRICT ATTORNEYS: SALARIES	\$	1,057,680	\$ 1,057,680
Salaries of district attorneys compensated per Government Code, Chapter 41.013.			
B.1.2. Strategy: PROFESSIONAL PROSECUTORS: SALARIES	\$	14,034,600	\$ 14,034,600
Salaries of district attorneys, criminal district attorneys and county attorneys performing the duties of a district attorney that are prohibited from the private practice of law and compensated per Government Code § 46.002 and § 46.003.			
B.1.3. Strategy: FELONY PROSECUTORS: SALARIES	\$	215,580	\$ 215,580
Salaries of one criminal district attorney per Government Code § 44.220 (Jackson); one county attorney performing the duties of a district			

JUDICIARY SECTION, COMPTROLLER’S DEPARTMENT
(Continued)

attorney per Government Code § 45.175 (Fayette); and one county attorney performing the duties of a district attorney per Government Code § 45.280 (Oldham).			
B.1.4. Strategy: PROSECUTORS: SUBCHAPTER C Apportionment payable to County Officers Salary Fund in counties where there is a district attorney per Government Code § 43.180 (Harris), not receiving a state salary, per Government Code § 41.201. Estimated.	\$	112,728	\$ 112,728
B.1.5. Strategy: FELONY PROSECUTORS: TRAVEL Expenses of felony prosecutors while engaged in the actual performance of their duties whose prosecutorial district is composed of more than one county per Government Code § 43.004, not to exceed \$1,750 per county.	\$	280,000	\$ 280,000
B.1.6. Strategy: PROSECUTORS: EXPENSES For the payment of salaries of assistant district attorneys, investigators and/or secretarial help and expenses, including travel for these personnel as determined by the prosecutors designated in Strategies B.1.1, B.1.2, B.1.3, and B.1.4. Reimbursement shall be limited to expenses for supplies or items which would normally be consumed or utilized within the fiscal year for which the funds in this item are designated. Payments shall not exceed \$34,450 per district per year in multicounty districts and \$17,050 per district per year in single-county districts and \$34,450 for both multicounty and single-county districts for those district attorneys, criminal district attorneys and county attorneys performing the duties of a district attorney prohibited from the private practice of law per Government Code, Chapter 46; and shall be made available in three equal installments issued on the first day of September, January and May of each fiscal year. These payments shall be made directly to the district attorney, criminal district attorney, or county attorney for the purposes of disbursement as required by the attorney. The attorney receiving these payments shall be responsible to the Comptroller for accounting for all expenditures of these funds.	\$	5,110,988	\$ 5,110,988
B.1.7. Strategy: TRAVIS CO. ASST. DA SALARY SUPPS Salary supplementation for assistant district attorneys of the Fifty-third Judicial District (Travis County) per Government Code § 43.132.	\$	5,616	\$ 5,616

Total, Goal B: PROSECUTOR SALARIES AND PAYMENTS \$ 20,817,192 \$ 20,817,192

C. Goal: CO.-LEVEL JUDGES SALARY SUPPLEMENTS To administer payments of salary supplements to constitutional, statutory, and probate county judges.			
C.1.1. Strategy: CONST. CO. JUDGE GR SUPPLEMENT Provide \$5,000 salary supplement to constitutional county judges whose functions are at least 40 percent judicial per Government Code § 26.006 and § 26.007. Estimated.	\$	1,080,000	\$ 1,080,000

JUDICIARY SECTION, COMPTROLLER’S DEPARTMENT
(Continued)

C.1.2. Strategy: CONST. CO. JUDGE 573 SUPPLEMENT Provide salary supplement from appropriated receipts (Fund 573) to constitutional county judges per Government Code § 26.006. Appropriation of all receipts remitted to the state per Government Code § 51.703(d). Estimated.	\$	1,216,665	\$	1,216,665
C.1.3. Strategy: STATUTORY CO. JUDGE GR SUPPLEMENT Provide \$5,000 salary supplement to statutory county judges per Government Code § 25.0015. Estimated.	\$	740,000	\$	740,000
C.1.4. Strategy: STATUTORY CO. JUDGE 573 SUPPLEMENT Provide salary supplement from appropriated receipts (Fund 573) to statutory county judges per Government Code § 25.0015. Appropriation of all receipts remitted to the state per Government Code § 51.702(d). Estimated.	\$	4,974,851	\$	4,974,851
C.1.5. Strategy: STATUTORY PROBATE JUDGE SUPPLEMENT Provide salary supplement from appropriated receipts (Fund 573) to statutory probate county judges per Government Code § 25.00211. Appropriation of all receipts remitted to the state per Government Code § 51.704(c). Estimated.	\$	923,311	\$	923,311
Total, Goal C: CO.-LEVEL JUDGES SALARY SUPPLEMENTS	\$	8,934,827	\$	8,934,827
D. Goal: SPECIAL PROGRAMS To administer payments authorized by statute for programs within the Judiciary Section, Comptroller’s Department appropriation.				
D.1.1. Strategy: COUNTY ATTORNEY SUPPLEMENT Provide salary supplement to county attorneys and county prosecutors per Government Code § 46.0031. Estimated.	\$	4,279,875	\$	4,279,875
D.1.2. Strategy: WITNESS EXPENSES Expenses of witnesses called in criminal proceedings who reside outside of the county where the trial is held per Code of Criminal Procedure, Articles 24.28 and 35.27.	\$	600,000	\$	600,000
D.1.3. Strategy: PUBLIC INTEGRITY UNIT Apportionment to fund the operation of the Public Integrity Unit in the District Attorney’s Office of the Fifty-third Judicial District (Travis County) for the payment of salaries and other necessary expenses for the operation of the Public Integrity Unit to be used for the investigation and prosecution of motor fuel tax fraud cases; insurance fraud cases; offenses involving an elected or appointed official of state government or an officer or employee of an agency of the state; and offenses relating to state government with respect to which prosecution, jurisdiction and venue, by law, lie in Travis County.	\$	3,078,733	\$	3,078,733 & UB
D.1.4. Strategy: SPECIAL PROSECUTION UNIT Funds for the operation of the Special Prosecution Unit in the District Attorney’s	\$	2,082,178	\$	2,082,178

JUDICIARY SECTION, COMPTROLLER'S DEPARTMENT
(Continued)

Office of the 12th and 278th Judicial Districts
(Walker County) per Code of Criminal Procedure,
Article 104.003 and Section 21, Article V,
Texas Constitution.

D.1.5. Strategy: DEATH PENALTY REPRESENTATION	\$	500,000	\$	500,000 & UB
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Compensation for counsel representing death row inmates per Code of Criminal Procedure, Article 11.071.

D.1.6. Strategy: NATIONAL CENTER FOR STATE COURTS	\$	266,910	\$	UB
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Membership assessment on behalf of the Texas judiciary for the National Center for State Courts. Estimated.

Total, Goal D: SPECIAL PROGRAMS	\$	10,807,696	\$	10,540,786
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Grand Total, JUDICIARY SECTION, COMPTROLLER'S DEPARTMENT	\$	87,557,127	\$	87,290,219
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Method of Financing:

General Revenue Fund

General Revenue Fund, estimated	\$	64,925,702	\$	64,658,794
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Insurance Companies Maintenance Tax and Insurance Department Fees	1,092,388	1,092,388
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Subtotal, General Revenue Fund	\$	66,018,090	\$	65,751,182
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Other Funds

State Highway Fund No. 006	896,759	896,759
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Criminal Justice Grants	1,527,451	1,527,451
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Judicial Fund No. 573	19,114,827	19,114,827
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Subtotal, Other Funds	\$	21,539,037	\$	21,539,037
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Total, Method of Financing	\$	87,557,127	\$	87,290,219
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Number of Full-Time-Equivalent Positions (FTE):	574.0	574.0
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Schedule of Exempt Positions:

District Judges and Criminal District Judges (Strategy A.1.1.)	(418) \$101,700	(418) \$101,700
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District Attorneys, Criminal District Attorneys and County Attorneys (Strategies B.1.1. and B.1.3.)	(15) 81,360	(15) 81,360
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District Attorneys, Criminal District Attorneys and County Attorneys (Strategy B.1.3.)	52,860	52,860
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District Attorneys, Criminal District Attorneys and County Attorneys (Strategy B.1.2.)	(138) 101,700	(138) 101,700
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Assistant District Attorneys, Fifty-third Judicial District (Strategy B.1.7.)	(2) 2,808	(2) 2,808
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Object-of-Expense Informational Listing:

Salaries and Wages	\$	64,764,197	\$	64,764,199
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Other Personnel Costs	966,827	966,827
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Operating Costs	266,910	0
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Professional Fees and Services	48,000	48,000
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Fuels and Lubricants	2,600	2,600
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Fuels and Lubricants	2,800	2,800
Consumable Supplies	35,267	35,267

JUDICIARY SECTION, COMPTROLLER’S DEPARTMENT
(Continued)

Utilities	43,950	43,950
Travel	992,538	992,538
Rent - Building	318,753	318,753
Rent - Machine and Other	29,026	29,026
Other Operating Expense	994,721	1,009,721
Grants	19,074,338	19,074,338
Capital Expenditures	20,000	5,000

Total, Object-of-Expense Informational Listing \$ 87,557,127 \$ 87,290,219

1. **Appropriation Source.** Pursuant to Government Code § 21.006, all revenues to, and fund balances in, the Judicial Fund No. 573, which are not deposited into the Basic Civil Legal Services account, are hereby appropriated to the Judiciary Section, Comptroller's Department. In the event that revenues into Fund No. 573 during a fiscal year exceed the amount identified in the Method of Financing as being appropriated out of Fund No. 573 in this Act for that fiscal year the difference shall be appropriated to the Judiciary Section, Comptroller's Department and the General Revenue Fund appropriation for that fiscal year shall be reduced by a like amount (estimated to be \$0).
2. **Salary Limitation, District Judges.** Funds appropriated above in Strategy A.1.1. shall be expended for the payment of the state salary for each district judge. However, in no event shall the aggregate, excluding any county supplement, of the state paid salary and any service retirement annuity paid pursuant to Government Code, Chapter 834 exceed the base salary for any district court judge during any twelve month period. If a district judge draws a salary as a district judge and a retirement annuity pursuant to Government Code, Chapter 834, and the combined amounts exceed the annual base salary for a district judge, the amount expended out of Strategy A.1.1. for the state salary of that district judge shall be reduced by an amount which will bring the total amount received by the judge to the base salary paid a district judge for a 12 month period. This provision does not apply to either retired or former judges or justices called to duty as visiting judges pursuant to Government Code, Chapters 74 and 75 and § 24.604 of the Government Code.
3. **Trial Court Measures.** Each district court judge shall provide an annual report no later than September 20, to the Office of Court Administration, indicating the Clearance Rate during the previous year. A Clearance Rate is calculated by dividing the total number of cases disposed by the total number of cases added to the docket.
4. **Public Integrity Unit: Appropriation Source, Unexpended Balances, and Performance Reporting.** Out of the funds appropriated above in Strategy D.1.3. the following amounts are appropriated specifically to the Public Integrity Unit for the following purposes:

	For the Years Ending	
	August 31, 2004	August 31, 2005
Motor Fuel Tax Fraud Investigations	\$ 896,759	\$ 896,759
Method of Financing, State Highway Fund No. 006		& UB
Insurance Fraud Investigations	1,092,388	1,092,388
Method of Financing, General Revenue Fund – Insurance Companies Maintenance Tax and Insurance Department Fees		& UB

JUDICIARY SECTION, COMPTROLLER'S DEPARTMENT
(Continued)

General State Government Investigations	1,089,586	1,089,586
Method of Financing, General Revenue Fund		& UB
Total, Method of Financing	\$ 3,078,733	\$ 3,078,733
		& UB

In no event shall the funds granted to the Public Integrity Unit exceed the amounts specified. In no event shall any funds appropriated above out of Judicial Fund No. 573 be allocated to the Public Integrity Unit. Any unexpended balances from appropriations made to the Public Integrity Unit for fiscal year 2004 are appropriated to the Public Integrity Unit for fiscal year 2005 for the same purposes.

The Public Integrity Unit shall submit a report each January 1 to the Legislative Budget Board and the Governor for the preceding fiscal year ending August 31. The report must be in a format prescribed by the Legislative Budget Board and the Governor and must include annual statistical information on fraud investigations of the Public Integrity Unit.

5. **Special Prosecution Unit: Appropriation Source, Unexpended Balances, and Performance Reporting.** Out of the funds appropriated above in Strategy D.1.4. and under the authority of Article 104.003, Code of Criminal Procedure, and Article V, § 21 of the Texas Constitution, Walker County is allocated an amount not to exceed \$1,527,451 in criminal justice grants and \$554,727 from general revenue in 2004; and \$1,527,451 in criminal justice grants and \$554,727 from general revenue in 2005, through the Judiciary Section, Comptroller's Department, for the payment of salaries and other necessary expenses for the operation of the Special Prosecution Unit. The funds are to be used for the investigation and prosecution of felony offenses committed by prisoners of the Texas Department of Criminal Justice; for the investigation and prosecution of other felonies and misdemeanors committed by agency employees and others when criminal conduct affects the operation of the agency in the various counties of the State where Texas Department of Criminal Justice facilities are located; and for the civil commitment of sexually violent predators program.

The funds appropriated above in Strategy D.1.4. shall be used to employ the services of legal and support staff plus the payment of their necessary capital and operating expenses in carrying out the purposes of the Special Prosecution Unit as established by its Board of Directors which is made up of those elected prosecutors who have Texas Department of Criminal Justice facilities within their respective counties.

Walker County is the designated agency to administer the funds provided for the support of the Special Prosecution Unit. Walker County shall submit a voucher containing an itemized statement of expenses to include salaries, fringe benefits and authorized expenses incurred to the Judiciary Section, Comptroller's Department each month of the fiscal year. Such vouchers shall be reviewed by the Walker County Auditor's Office to ensure compliance with applicable state and county regulations concerning the expenditures of public funds. Upon receipt of said vouchers, the Judiciary Section, Comptroller's Department shall issue warrants each month to reimburse Walker County. The total reimbursement each year shall not exceed the amount appropriated.

Any unexpended balances from appropriations made to the Special Prosecution Unit, Civil Division for fiscal year 2004 are appropriated to the Special Prosecution Unit, Civil Division for fiscal year 2005 for the same purposes.

The Special Prosecution Unit shall submit a report each January 1 to the Legislative Budget Board and the Governor for the preceding fiscal year ending August 31. The report must be in a format prescribed by the Legislative Budget Board and the Governor and must include annual statistical information on activities of the Special Prosecution Unit.

JUDICIARY SECTION, COMPTROLLER’S DEPARTMENT
(Continued)

6. **Witness Expenses.** The appropriation made above to the Judiciary Section, Comptroller’s Department for the payment of witness expenses under the Code of Criminal Procedure is based on legislative intent that such expenses are not paid at rates that exceed the maximum rates provided by law for state employees.
7. **Visiting Judges.** The appropriations made above to the Judiciary Section, Comptroller’s Department for the use of visiting judges are determined on the assumption that each appellate judge or justice and each district judge will receive an average of three weeks annual leave and three days sick leave. Out of the amounts appropriated above for visiting judges in the nine administrative judicial regions, no less than \$ 39,000 for the biennium has been provided for the purpose of visiting judge payments in cases for civil commitment of sexually violent predators. Additionally, out of the amounts appropriated above for visiting judges in the nine administrative judicial regions, no less than \$1,266,261 for the biennium has been provided for the purpose of visiting judge payments in multidistrict civil cases, capital cases, specialty criminal, civil, and family law cases, and other specialty cases as determined by the presiding judges of the nine administrative judicial regions.
8. **Transfers for Visiting Judges.**
- a. Amounts appropriated above in Strategies A.1.2, Visiting Former Judges - Regions, and A.1.4, Visiting Retired Judges - Regions, may be transferred between each other without limitation as to the amount of such transfers. The Judiciary Section, Comptroller’s Department is authorized to initiate transfers under this provision only upon the joint request of the presiding judges of the nine administrative judicial regions.
- b. Amounts appropriated above in Strategies A.1.3, Visiting Former Judges - Appellate, and A.1.5, Visiting Retired Judges - Appellate, may be transferred between each other without limitation as to the amount of such transfers. The Judiciary Section, Comptroller’s Department is authorized to initiate transfers under this provision only upon the request of the Chief Justice of the Supreme Court.

RETIREMENT AND GROUP INSURANCE

	For the Years Ending	
	August 31, 2004	August 31, 2005
A. Goal: EMPLOYEES RETIREMENT SYSTEM		
A.1.1. Strategy: RETIREMENT CONTRIBUTIONS	\$ 2,753,654	\$ 2,781,191
Provide an actuarially sound level of funding as defined by state law. Estimated.		
A.1.2. Strategy: GROUP INSURANCE	\$ 8,862,644	\$ 8,998,507
Provide a basic health care and life insurance program for general state employees. Estimated.		
A.1.3. Strategy: JUDICIAL RETIREMENT SYSTEM - PLAN 2	\$ 8,472,474	\$ 8,797,681
Maintain an actuarially sound retirement program for state judicial officers. Estimated.		

RETIREMENT AND GROUP INSURANCE
(Continued)

A.1.4. Strategy: JUDICIAL RETIREMENT SYSTEM - PLAN 1				\$	22,638,168	\$	22,998,459
Provide for the payment of JRS-1 benefits and refunds as required by law. Estimated.							
Total, Goal A: EMPLOYEES RETIREMENT SYSTEM				\$	42,726,940	\$	43,575,838
Grand Total, RETIREMENT AND GROUP INSURANCE				\$	42,726,940	\$	43,575,838
Method of Financing:							
General Revenue Fund, estimated				\$	40,848,069	\$	41,696,755
General Revenue Dedicated Accounts, estimated					27,976		28,107
Federal Funds, estimated					829		833
Other Special State Funds, estimated					1,850,066		1,850,143
Total, Method of Financing				\$	42,726,940	\$	43,575,838

SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY

	For the Years Ending	
	August 31,	August 31,
	2004	2005
A. Goal: SOCIAL SECURITY/BENEFIT REPLACEMENT		
To provide funding to the Comptroller of Public Accounts for Social Security Contributions and Benefit Replacement Pay.		
A.1.1. Strategy: STATE MATCH – EMPLOYER	\$ 7,363,327	\$ 7,436,960
Provide an employer match for Social Security contributions. Estimated.		
A.1.2. Strategy: BENEFIT REPLACEMENT PAY	\$ 764,636	\$ 725,640
Provide Benefit Replacement Pay to eligible employees. Estimated.		
Total, Goal A: SOCIAL SECURITY/BENEFIT REPLACEMENT	\$ 8,127,963	\$ 8,162,600
Grand Total, SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY	\$ 8,127,963	\$ 8,162,600
Method of Financing:		
General Revenue Fund, estimated	\$ 7,540,794	\$ 7,570,882
General Revenue Dedicated Accounts, estimated	17,266	17,383
Federal Funds, estimated	497	502
Other Special State Funds, estimated	569,406	573,833
Total, Method of Financing	\$ 8,127,963	\$ 8,162,600

LEASE PAYMENTS

	For the Years Ending	
	August 31,	August 31,
	2004	2005
Out of the General Revenue Fund:		
A. Goal: FINANCE CAPITAL PROJECTS		
To provide funding to the Building and Procurement Commission for payment to the Texas Public Finance Authority for the payment of revenue bond debt service requirements.		
A.1.1. Strategy: LEASE PAYMENTS	\$ 2,449,031	\$ 2,450,906
		& UB
Make lease payments to the Texas Public Finance Authority on facilities financed through the Texas Public Finance Authority.		
Grand Total, LEASE PAYMENTS	\$ 2,449,031	\$ 2,450,906

SPECIAL PROVISIONS - JUDICIARY

Sec. 2. **Judicial Salary Enforcement.** Each District Court Judge and Justice of the Courts of Appeals shall file a sworn statement with the Comptroller of Public Accounts setting forth the yearly amounts to be received from state and county as salary payments during the ensuing fiscal year. Amended statements shall be filed setting forth any change in the salary rate which occurs during a fiscal year.

For the purpose of salary payments by the state, the Comptroller of Public Accounts shall determine from the filed statements that the required salary differential set out in Government Code § 659.012 is maintained. In the event a salary is in excess of the differential provided by law, the Comptroller is directed to reduce the state's portion of that salary by the amount of excess.

The appropriations for salaries of District Court Judges and Justices of Courts of Appeals are made contingent upon strict compliance with the provisions of this section and the Comptroller shall have no authority to issue a warrant for salaries which violate these provisions.

Sec. 3. **Public Integrity Unit.** In Strategy D.1.3, Public Integrity Unit, Judiciary Section, Comptroller's Department, warrants shall be drawn as necessary to reimburse the District Attorney of the 53rd Judicial District for salary and expenses previously incurred. The District Attorney shall submit a voucher containing an itemized statement of expenses to substantiate each claim. This appropriation shall be allocated in three equal installments over the fiscal year. Any unencumbered, unexpended balance existing in a previous allocation period may be used in a subsequent period provided that period occurs within the same biennium.

Sec. 4. **Restriction, New District Courts.** No new district court may be funded until it has been approved by the commissioner's court of the county or a majority of the counties in that district.

Sec. 5. **Transfer of Cases.** The Chief Justices of the 14 courts of appeals are encouraged to cooperate with the Chief Justice of the Supreme Court to transfer cases between appellate courts which are in neighboring jurisdictions in order to equalize the disparity between the workloads of the various courts of appeals.

Sec. 6. **Voice Recording.** It is the intent of the Legislature that the Supreme Court and Court of Criminal Appeals will promulgate rules authorizing the use of voice or video recording technology, including CD ROM, to make a record of court proceedings. The Legislature does not intend that the recording be a substitute for the written transcript.

Sec. 7. **Systems Compatibility.** No funds shall be utilized to purchase information technology unless it interfaces with other courts and with the Office of Court Administration and complies with the plans filed with the Legislative Budget Board.

Sec. 8. **Judicial Internship Program.** It is the intent of the Legislature that the Judicial Branch cooperate with law schools to establish a judicial internship program for Texas appellate and trial courts. The Judicial Branch is encouraged to work with the Texas Judicial Council in the development of the judicial internship program.

Sec. 9. **Appellate Court Exemptions.** The following provisions of Article IX of this Act do not apply to the appellate courts:

- a. Article IX, § 5.09, Limitation on Travel Expenditures
- b. Article IX, § 6.14, Limitation on State Employment Levels
- c. Article IX, § 6.17, Limit on Expenditures—Capital Budget
- d. Article IX, § 6.28, Performance Rewards and Penalties

Sec. 10. **TexasOnline Authority Appropriation.** Each Article IV licensing agency participating in the TexasOnline Authority is authorized in accordance with § 2054.252 of the Government Code to increase the occupational license renewal fees imposed on the licensing entity's licensees by an amount sufficient to cover the cost of the subscription fee charged by the TexasOnline Authority.

SPECIAL PROVISIONS - JUDICIARY
(Continued)

- a. Each licensing agency participating in the TexasOnline Authority is hereby appropriated any additional fee revenue generated in excess of the amounts listed below for the purpose of paying the TexasOnline Authority subscription fee.

	<u>FY 2004</u>	<u>FY 2005</u>
Court Reporters Certification Board	\$ 11,040	\$ 14,480
Total	\$ 11,040	\$ 14,480

- b. In the event that actual and/or projected revenue collections from fee increases to cover the cost of TexasOnline subscription fees are insufficient to offset the costs identified above, the Comptroller is hereby directed to reduce the appropriation authority provided by this Act to agencies participating in TexasOnline to be within the amount of fee revenue expected to be available.

Sec. 11. **Appropriation: Unexpended Balances Between Fiscal Years within the Biennium.** Any unexpended balances from appropriations made to the appellate courts for fiscal year 2004 are hereby appropriated to the same court for fiscal year 2005 for the same purposes.

Sec. 12. **Intermediate Appellate Court Local Funding Information.** The Office of Court Administration shall assist the appellate courts in the submission of a report for local funding information each January 1 to the Legislative Budget Board and the Governor for the preceding fiscal year ending August 31. The report must be in a format prescribed by the Legislative Budget Board and the Governor.

Sec. 13. **Appellate Court Salary Limits.** It is the intent of the Legislature that no intermediate appellate court may pay more than one chief staff attorney promoted or hired after September 1, 2001, more than \$76,000 annually under this provision. Further, it is the intent of the Legislature that no intermediate appellate court may pay other permanent legal staff hired or promoted after September 1, 2001, more than \$65,000 annually. This provision does not apply to law clerk positions at any appellate court.

**RECAPITULATION - ARTICLE IV
THE JUDICIARY
(General Revenue)**

	For the Years Ending	
	August 31, 2004	August 31, 2005
Supreme Court of Texas	\$ 3,859,758	\$ 3,859,759
Contingency Appropriations	<u>3,000,000</u>	<u>0</u>
Total	6,859,758	3,859,759
Court of Criminal Appeals	4,091,766	4,091,766
First Court of Appeals District, Houston	2,638,400	2,638,400
Second Court of Appeals District, Fort Worth	2,126,557	2,126,557
Third Court of Appeals District, Austin	1,909,607	1,909,607
Fourth Court of Appeals District, San Antonio	2,075,118	2,075,118
Fifth Court of Appeals District, Dallas	3,597,569	3,597,572
Sixth Court of Appeals District, Texarkana	1,028,048	1,028,049
Seventh Court of Appeals District, Amarillo	1,406,698	1,406,699
Eighth Court of Appeals District, El Paso	1,328,754	1,328,755
Ninth Court of Appeals District, Beaumont	1,083,963	1,083,963
Tenth Court of Appeals District, Waco	1,064,878	1,064,879
Eleventh Court of Appeals District, Eastland	1,063,290	1,063,291
Twelfth Court of Appeals District, Tyler	1,072,727	1,072,728
Thirteenth Court of Appeals District, Corpus Christi	1,898,598	1,898,598
Fourteenth Court of Appeals District, Houston	2,638,400	2,638,400
Office of Court Administration, Texas Judicial Council	5,851,557	4,948,539
Office of the State Prosecuting Attorney	307,607	307,608
State Law Library	804,292	804,292
Court Reporters Certification Board	163,475	166,802
State Commission on Judicial Conduct	889,875	889,874
Judiciary Section, Comptroller's Department	<u>66,018,090</u>	<u>65,751,182</u>
Subtotal, Judiciary	\$ 109,919,027	\$ 105,752,438
Retirement and Group Insurance	40,848,069	41,696,755
Social Security and Benefit Replacement Pay	<u>7,540,794</u>	<u>7,570,882</u>
Subtotal, Employee Benefits	\$ 48,388,863	\$ 49,267,637
Lease Payments	2,449,031	2,450,906
TOTAL, ARTICLE IV - THE JUDICIARY	<u>\$ 160,756,921</u>	<u>\$ 157,470,981</u>

**RECAPITULATION - ARTICLE IV
THE JUDICIARY
(General Revenue - Dedicated)**

	For the Years Ending	
	August 31, 2004	August 31, 2005
Office of Court Administration, Texas Judicial Council	\$ 13,351,196	\$ 13,029,665
Subtotal, Judiciary	\$ 13,351,196	\$ 13,029,665
Retirement and Group Insurance	27,976	28,107
Social Security and Benefit Replacement Pay	17,266	17,383
Subtotal, Employee Benefits	\$ 45,242	\$ 45,490
TOTAL, ARTICLE IV - THE JUDICIARY	\$ 13,396,438	\$ 13,075,155

**RECAPITULATION - ARTICLE IV
THE JUDICIARY
(Federal Funds)**

	For the Years Ending	
	August 31,	August 31,
	<u>2004</u>	<u>2005</u>
Retirement and Group Insurance	\$ 829	\$ 833
Social Security and Benefit Replacement Pay	<u>497</u>	<u>502</u>
Subtotal, Employee Benefits	<u>\$ 1,326</u>	<u>\$ 1,335</u>
TOTAL, ARTICLE IV - THE JUDICIARY	<u>\$ 1,326</u>	<u>\$ 1,335</u>

**RECAPITULATION - ARTICLE IV
THE JUDICIARY
(Other Funds)**

	For the Years Ending	
	August 31, 2004	August 31, 2005
Supreme Court of Texas	\$ 6,950,000	\$ 3,250,000
Court of Criminal Appeals	9,257,955	9,032,955
Office of Court Administration, Texas Judicial Council	5,998,486	6,092,292
State Law Library	41,100	41,100
State Commission on Judicial Conduct	121,700	121,700
Judiciary Section, Comptroller's Department	21,539,037	21,539,037
Subtotal, Judiciary	\$ 43,908,278	\$ 40,077,084
Retirement and Group Insurance	1,850,066	1,850,143
Social Security and Benefit Replacement Pay	569,406	573,833
Subtotal, Employee Benefits	\$ 2,419,472	\$ 2,423,976
Less Interagency Contracts	\$ 5,947,076	\$ 6,040,882
TOTAL, ARTICLE IV - THE JUDICIARY	\$ 40,380,674	\$ 36,460,178

**RECAPITULATION - ARTICLE IV
THE JUDICIARY
(All Funds)**

	For the Years Ending	
	August 31, 2004	August 31, 2005
Supreme Court of Texas	\$ 10,809,758	\$ 7,109,759
Contingency Appropriations	3,000,000	0
Total	13,809,758	7,109,759
Court of Criminal Appeals	13,349,721	13,124,721
First Court of Appeals District, Houston	2,638,400	2,638,400
Second Court of Appeals District, Fort Worth	2,126,557	2,126,557
Third Court of Appeals District, Austin	1,909,607	1,909,607
Fourth Court of Appeals District, San Antonio	2,075,118	2,075,118
Fifth Court of Appeals District, Dallas	3,597,569	3,597,572
Sixth Court of Appeals District, Texarkana	1,028,048	1,028,049
Seventh Court of Appeals District, Amarillo	1,406,698	1,406,699
Eighth Court of Appeals District, El Paso	1,328,754	1,328,755
Ninth Court of Appeals District, Beaumont	1,083,963	1,083,963
Tenth Court of Appeals District, Waco	1,064,878	1,064,879
Eleventh Court of Appeals District, Eastland	1,063,290	1,063,291
Twelfth Court of Appeals District, Tyler	1,072,727	1,072,728
Thirteenth Court of Appeals District, Corpus Christi	1,898,598	1,898,598
Fourteenth Court of Appeals District, Houston	2,638,400	2,638,400
Office of Court Administration, Texas Judicial Council	25,201,239	24,070,496
Office of the State Prosecuting Attorney	307,607	307,608
State Law Library	845,392	845,392
Court Reporters Certification Board	163,475	166,802
State Commission on Judicial Conduct	1,011,575	1,011,574
Judiciary Section, Comptroller's Department	87,557,127	87,290,219
Subtotal, Judiciary	\$ 167,178,501	\$ 158,859,187
Retirement and Group Insurance	42,726,940	43,575,838
Social Security and Benefit Replacement Pay	8,127,963	8,162,600
Subtotal, Employee Benefits	\$ 50,854,903	\$ 51,738,438
Lease Payments	2,449,031	2,450,906
Less Interagency Contracts	\$ 5,947,076	\$ 6,040,882
TOTAL, ARTICLE IV - THE JUDICIARY	\$ 214,535,359	\$ 207,007,649
Number of Full-Time-Equivalent Positions (FTE)	1,317.5	1,317.5